

NOTE: Appearing first is the Full Board summary which is the last meeting of the day. The committees will follow in the order of which time they were conducted. The Dealer Board staff felt it would benefit our readers to have the last meeting of the day appear first on the website.

~ 1ST DRAFT ~

Meeting Summary
Motor Vehicle Dealer Board
Monday, March 13, 2006

Chairman D.B. Smit called the Dealer Board meeting to order at 11:37 a.m. in Room 702 of the DMV Headquarters Building at 2300 West Broad Street in Richmond. The roll was called and there were 15 Board members present. Present were members Jonathan Blank, Lynn Hooper, Todd Hyman, Chip Lindsay, Hugh McCreight, Jim Mercer, Thomas Moorehead, Pat Patrick, Kevin Reilly, Vince Sheehy, Larry Shelor, Jimmy Whitten, Robert Woodall and Thomas Woodson. (Absent: Carlton Courter, David Lacy, Wanda Lewark, Frank Pohanka). Bruce Gould, Peggy Bailey, Debbie Allison, Frank McCormick and Katherine Idrissi represented the Dealer Board. Jim Gurney and Don Boswell represented DMV. Eric Fiske represented the Attorney General's Office. Alice Weedon acted as Recording Secretary.

The January 9, 2005 meeting summary was approved.

PUBLIC COMMENT

There was no public comment.

STATUTORY COMMITTEE REPORTS

Dealer Practices Committee:

- **Todd K. Keyser and Select Wheels.** Chairman Pat Patrick summarized for the Board the discussion held in the Committee meeting regarding Todd K. Keyser and Select Wheels. Based on that discussion, Mr. Patrick made the following motion: The Board has reviewed and considered the facts and evidence and the report of an informal fact-finding conference as prepared by the hearing officer concerning Mr. Todd K. Keyser and Select Wheels for alleged violations of Va. Code §46.2-1529.1(A), related to properly completing a Buyer's Order; 46.2-1537, paying a commission or compensating an individual in connection with the sale of a motor vehicle and that individual is not licensed; 46.2-1542(C) and 46.2-1575(14) relating to the failure to submit to DMV within 30 days of the sale, an application for title, copy of the buyer's order, all required fees; 46.2-1575(1), having made a material misstatement or omission on an application; and 46.2-1575(4), defrauding any retail buyer; and 46.2-1575(6), having used deceptive acts or practices. Based on due consideration and the report of the hearing officer, the Board believes a civil penalty should be levied against Mr. Todd K. Keyser t/a Select Wheels. The Board hereby assesses a civil penalty in the amount of \$1,000 on Mr. Todd K. Keyser t/a Select Wheels for violations of Va. Code §46.2-1537, prohibiting dealers from paying a commission or compensating any person in connection with the sale of a motor vehicle, unless the person is licensed as a salesperson and employed by the dealer.

Jimmy Whitten seconded. The motion carried unanimously.

Licensing Committee

Chairman Todd Hyman summarized discussions held and actions that were taken during the Committee Meeting.

- **Joseph T. Byrum and Heritage Chrysler, Plymouth, Dodge of South Hill.** Chairman Todd Hyman summarized for the Board the discussion held in the Committee meeting regarding Joseph T. Byrum and Heritage Chrysler, Plymouth, Dodge of South Hill. Based on that discussion, Mr. Hyman made the following motion: The Board has reviewed and considered the facts and evidence and the report of an informal fact-finding conference as prepared by the hearing officer concerning Mr. Joseph T. Byrum t/a Heritage Chrysler Plymouth Dodge for alleged violations of Va. Code §46.2-1537, allowing an unlicensed individual to solicit the sale of motor vehicles and compensating an individual, who is not licensed by the dealership, in the connection of the sale of a motor vehicle. Based on due consideration, and the report of a hearing officer, the Board believes a civil penalty should be levied against Mr. Joseph T. Byrum t/a Heritage Chrysler Plymouth Dodge. The Board hereby assess a civil penalty in the amount of \$500 on Mr. Joseph T. Byrum and Heritage Chrysler Plymouth Dodge for twenty-two violations of Va. Code §46.2-1537 prohibiting dealers from paying a commission or compensating any person in connection with the sale of a motor vehicle, unless the person is licensed as a salesperson and employed by the dealer.

Larry Shelor seconded. The motion carried unanimously.

- **Jacques J. Moore and Moore Cadillac Company.** Chairman Todd Hyman summarized for the Board the discussion held in the Committee meeting regarding Jacques J. Moore and Moore Cadillac Company. Based on that discussion, Mr. Hyman made the following motion: The Board has reviewed and considered the facts and evidence and the report of an informal fact finding conference as prepared by the hearing officer concerning Mr. Jacques J. Moore t/a Moore Cadillac Company for alleged violations of Va. Code §46.2-1537, allowing an unlicensed individual to solicit the sale of motor vehicles and compensating an individual, who is not licensed by the dealership, in the connection of the sale of a motor vehicle. Based on due consideration, the Board believes a civil penalty should be levied against Mr. Jacques J. Moore t/a Moore Cadillac Company. The Board hereby assess a civil penalty in the amount of \$2,680 on Mr. Jacques J. Moore and Moore Cadillac Company for two hundred and sixty-eight violations of Va. Code §46.2-1537 prohibiting dealers from paying a commission or compensating any person in connection with the sale of a motor vehicle, unless the person is licensed as a salesperson and employed by the dealer.

Hugh McCreight seconded. Chip Lindsay abstained. The motion carried.

Advertising Committee

Vice-Chairman Lynn Hooper summarized discussions that were held during the Committee Meeting.

Transaction Recovery Fund Committee:

Full Board Vice-Chairman Vince Sheehy summarized discussions held and actions that were taken during the Committee Meeting.

- **Diane M. Danner/Chix Custom Cycles & Edward Mayo/Premier Auto and (2) Paul Calcagni and Al's Cars** Vice-Chairman Larry Shelor summarized for the Board the discussion held in the Committee meeting regarding (1) Diane M. Danner/Chix Custom Cycles & Edward Mayo/Premier Auto and (2) Paul Calcagni and Al's Cars. Based on that discussion and the recommendation in the case, Mr. Shelor made the following motions: Pursuant to §46.2-1527.1 et. seq. of the Code of Virginia, which is known as the Motor Vehicle Transaction Recovery Fund ("Fund"), the Board has reviewed and considered claims submitted for payment from the Fund and based on due consideration and recommendation of the hearing officer, the Board believes the following claims should be payable from the Fund. The Board hereby approves and reaffirms the following claims and payment amounts subject to compliance by the claimant with statutory requirements:

Diane M. Danner/Chix Custom Cycles & Edward Mayo/Premier Auto	\$16,182
Paul Calcagni and Al's Cars	\$20,000

Pat Patrick seconded. The motion carried unanimously.

OLD BUSINESS FROM THE FLOOR

Curbstoning Report. Don Boswell, Chief of Investigations for DMV, gave a brief update on ISO investigations relating to curbstoning since the January Board meeting.

Legislative Update. Bruce Gould indicated that the Board had two legislative proposals and both were adopted. One was changing the definition of a salesperson to include functions of an F&I person as well as a sales manager. To raise the bond from the current amount of \$25,000 to \$50,000. Both will be effective July 1, 2006.

There was no old business from the floor.

NEW BUSINESS

The next meeting will be scheduled for May 8, 2006

Executive Director's Report. Bruce Gould indicated that the legislative update was the only issue to report on.

NEW BUSINESS FROM THE FLOOR

There was no new business from the floor.

There being no further business to come before the Motor Vehicle Dealer Board, Chairman Smit adjourned the meeting at 11:59 a.m.

Meeting Summary
Dealer Practices Committee
Monday, March 13, 2006

Chairman Pat Patrick called the Dealer Practices Committee meeting to order at 8:32 a.m. in Room 702 of the DMV Headquarters Building at 2300 W. Broad Street in Richmond. Present were Committee members Hugh McCreight, Jonathan Blank, Lynn Hooper, Jim Mercer, Thomas Moorehead, Kevin Reilly, Jimmy Whitten and Robert Woodall. (Absent: David Lacy and Frank Pohanka) Other Board members present: D.B. Smit, Tommy Woodson Todd Hyman, Chip Lindsay, Larry Shelor and Vince Sheehy. Executive Director Bruce Gould, Peggy Bailey, Katherine Idrissi, Debbie Allison and Frank McCormick represented the Dealer Board. Jim Gurney represented DMV. Eric Fiske was present from the Attorney General's Office.

The January 9, 2006 meeting summary was approved.

PUBLIC COMMENT

There was no public comment.

OLD BUSINESS

Update: January Actions. Peggy Bailey reported on the actions taken at the Dealer Practices Committee meeting on January 9, 2006.

OLD BUSINESS FROM THE FLOOR

There was no old business from the floor.

NEW BUSINESS

Review and Action: Informal Fact-Finding Conference:

- **Todd K. Keyser and Select Wheels.** On February 15, 2006 an informal fact-finding conference was conducted to address the alleged violations of VA Code §§46.2-1529.1(A) (requires the Buyer's Guide to be completely filled out, signed and dated by the buyer, and incorporated as part of the Buyer's Order), 46.2-1537 (prohibits dealers from paying a commission or compensating any person in connection with the sale of a motor vehicle, unless the person is licensed as a salesperson and employed by the dealer), 46.2-1542(C) (failure to, no later than the expiration of the first temporary certificate, deliver to the Department an application for title, copy of the buyer's order, all required fees and a written statement of facts describing the dealer's efforts to secure the certificate of origin to the vehicle), 46.2-1575(1) (material misstatement or omission in application for license, dealer's license plates, certificate of dealer registration, certificate of qualification or certificate of title), 46.2-1575(4) (defrauding any retail buyer, to the buyer's damage, or any other person in the conduct of the licensee's or registrant's business), 46.2-1575(6) (having used deceptive acts or practices) 46.2-1575(14) (failure to submit to the Department, within thirty days from the date of sale, any application, tax, or fee collected for the Department on behalf of a buyer) against Todd Keyser and Select Wheels.

Based on the information provided at the conference, the hearing officer recommended that for the violation of VA Code §46.2-1529.1(A) a civil penalty of \$250 be assessed, for the violations of VA Code §46.2-1537 a civil penalty of \$150 be assessed for the 43 violations equally \$6,450.00, for the violation of VA Code §§46.2-1542(C) and 46.2-1575(14) a civil penalty of \$500 be assessed, for the violation, for the violation of VA Code §46.2-1575(1) and (6) a civil penalty of \$1,000.00 be assessed. A total of \$8,200.00 to be assessed against Todd K. Keyser and Select Wheels.

Motion was made by Lynn Hooper to accept the hearing officer's report, with the exception of instead of \$150 per violation for the unlicensed salesperson, to assess \$100 per violation. Robert Woodall seconded. General discussion followed. Vince Sheehy suggested that we have a recap of what action has been taken against salespersons in the past.

The original motion was withdrawn by Mr. Hooper. Motion was made by Robert Woodall to reject the hearing officer's recommendation and only assess a civil penalty of \$50 per violation for the 43 sales by the unlicensed salesperson violation, for a total civil penalty of \$2,150. Jimmy Whitten seconded. The motion carried unanimously.

Report on Variance Requests (Dealer Hours and Storage of Dealer Records). Bruce Gould reported there were 3 requests for on-line dealers, 3 requests for records and one dealer requested extra time off for an extended medical situation. All requests were approved.

NEW BUSINESS FROM THE FLOOR

Kevin Reilly proposed a resolution prepared by Don Hall of VADA and Mike Charapp, counsel for VADA. Bruce read this resolution and it is as follows:

UPON CONSIDERATION of the motion, duly seconded, to clarify the policy of this Board on alleged violations that have been the subject of a final decision in litigation or arbitration between a dealer and a consumer where the dealer has paid the full amount awarded; and

UPON CONSIDERATION of this Board's need to conserve resources so that they can be used in appropriate cases; and

IT APPEARING to this Board that use of Board resources to pursue action on alleged violations where the underlying facts have been determined in a final decision in litigation or arbitration between a dealer and a consumer and where the dealer has paid the full amount awarded to the consumer is not an appropriate use of resources unless there is some compelling reason for this Board to pursue actions; and

IT BEING the opinion of this Board that the decision of whether there is compelling reason for the Board to pursue action in such an instance should be a decision for the Board; now therefore,

IT IS RESOLVED, that in the event of any alleged violation(s) by a dealer where the underlying facts have been the subject of a final decision in litigation or arbitration between the dealer and a consumer and where the dealer has paid to the consumer the amount awarded, the staff of the Board shall not commence an enforcement proceeding of an sort, except any limited

investigation necessary for a pre-commencement report to the Board, until the commencement of an enforcement proceeding has been authorized by the Board.

Eric Fiske expressed some concerns for this resolution and requested some time in order to review this resolution before it is accepted and referred to in future cases. General discussion followed.

Motion was made by Kevin Reilly to take 60 days to review and revise this Resolution. Larry Shelor seconded. The motion carried unanimously.

The next meeting was scheduled for May 8, 2006.

The meeting adjourned at 9:37 a.m.

Meeting Summary
Dealer Licensing Committee
Monday, March 13, 2006

Chairman Todd Hyman called the Dealer Licensing Committee meeting to order at 9:53 a.m. in Room 702 of the DMV Headquarters Building at 2300 West Broad Street in Richmond. Present were Committee members Robert Woodall, Chip Lindsay, Kevin Reilly, Vince Sheehy, Larry Shelor, Jimmy Whitten and Tommy Woodson. (Absent: Wanda Lewark) Other Board members present: Lynn Hooper, Jim Mercer, D.B. Smit, Pat Patrick, Jonathan Blank, Thomas Moorehead, Hugh McCreight. Executive Director Bruce Gould, Peggy Bailey, Katherine Idrissi, Debbie Allison, Frank McCormick represented the Dealer Board. Jim Gurney and Don Boswell represented DMV. Eric Fiske represented the Attorney General's Office.

The January 9, 2006 meeting summary was approved.

PUBLIC COMMENT

There was no public comment.

OLD BUSINESS FROM THE FLOOR

There was no old business from the floor.

OLD BUSINESS

Update: January Actions. Peggy Bailey reported on the actions taken at the Licensing Committee meeting on January 9, 2006.

NEW BUSINESS

Review and Action: Informal Fact-Finding Conference:

- **Joseph T. Byrum & Heritage Chrysler, Plymouth, Dodge of South Hill.** On October 11, 2005, an informal fact-finding conference was conducted to address the alleged violation of Va. Code §46.2-1537 (prohibits unlicensed person from selling and being compensated for the sale of a motor vehicle) against Joseph T. Byrum and Heritage Chrysler, Plymouth, Dodge of South Hill. Based on the information provided at the conference, the hearing officer recommended that the Board assess a civil penalty of \$100 per violation for each of the 22 sales, which comes to \$2,200.00 against Mr. Byrum and Heritage.

Mr. Byrum was present and spoke on his own behalf. Mr. Byrum indicated that at the time of hiring the salesperson in question, he thought that he was licensed as a salesperson.

Motion was made by Larry Shelor to not accept the hearing officer's recommendation and assess a flat civil penalty of \$500. Vince Sheehy seconded. The motion carried unanimously.

- **Jacques J. Moore & Moore Cadillac Company.** On January 6, 2006, an informal fact-finding conference was conducted to address the alleged violation of Va. Code §46.2-1537 (prohibits unlicensed person from selling and being compensated for the sale of a motor vehicle) against Jacques J. Moore and Moore Cadillac Company. Based on the information provided at the conference, the hearing officer recommended that a field representative make follow-up inspections and that the Board assess a civil penalty of \$10 per violation for the 268 violations, which comes to \$2,680.00 against Mr. Moore and Moore Cadillac Company.

Mr. Bob Hughes, Executive Manager of Moore, was present and spoke on behalf of Mr. Moore and Moore Cadillac Company. Mr. Hughes indicated that the salesperson in question was a con artist and in hiring him, he indicated he was a salesperson, he came from another dealership and showed what appeared to be legal a salesperson's license. By the time it was discovered that something was wrong, he disappeared. Since this incident, Moore's created a human resources department that has the responsibility to ensure all salespersons are properly licensed.

Motion was made by Larry Shelor to accept the hearing officer's recommendation. Hugh McCreight seconded. Chip Lindsay abstained. The motion carried.

The next meeting was scheduled for May 8, 2006.

NEW BUSINESS FROM THE FLOOR

- **Update: Dealer-Operator Test.** Bruce Gould indicated that the testing process is going far better than ever anticipated. David Boling, instructor for the course, indicated that the classes are filling up fast. The success rate is far better than expected.
- **Update: Legislation.** Bruce Gould indicated that the legislation changing the definition of a salesperson to capture those functions of F&I, as well as a sales manager has passed. Beginning July 1, 2006, F&I employees must have a sales license.

The meeting adjourned at 10:48 a.m.

Meeting Summary
Advertising Committee
Monday, March 13, 2006

Vice-Chairman Lynn Hooper called the Advertising Committee meeting to order at 10:49 a.m. in Room 702, at DMV Headquarters, 2300 West Broad Street, Richmond, Virginia. Present were Committee members Jonathan Blank, Chip Lindsay, Hugh McCreight, Jim Mercer, Thomas Moorehead, Pat Patrick and Larry Shelor. (Absent: Frank Pohanka) Other Board members present: Thomas Woodson, Kevin Reilly, Todd Hyman, D.B. Smit, Vince Sheehy and Jimmy Whitten. Executive Director Bruce Gould, Peggy Bailey, Katherine Idrissi, Debbie Allison and Frank McCormick represented the Dealer Board. Jim Gurney and Don Boswell represented DMV. Eric Fiske represented the Attorney General's Office.

The January 9, 2006 meeting summary was approved.

PUBLIC COMMENT

There was no public comment.

OLD BUSINESS

OLD BUSINESS FROM THE FLOOR

There was no old business from the floor.

NEW BUSINESS

The next meeting will be May 8, 2006.

NEW BUSINESS FROM THE FLOOR

There was no new business from the floor.

The meeting adjourned at 10:52 a.m.

Meeting Summary
Transaction Recovery Fund Committee
Monday, March 13, 2006

Vice-Chairman Larry Shelor called the Transaction Recovery Fund Committee meeting to order at 10:53 a.m. in Room 702 of the DMV Headquarters Building at 2300 West Broad Street in Richmond. Present were Committee members: Jonathan Blank, Lynn Hooper, Vince Sheehy and Tommy Woodson. (Absent: David Lacy, Wanda Lewark). Other Board members present: Kevin Reilly, Todd Hyman, Jim Mercer, D.B. Smit, Pat Patrick, Chip Lindsay, Thomas Moorehead, Hugh McCreight, Jimmy Whitten. Executive Director Bruce Gould, Peggy Bailey, Katherine Idrissi, Debbie Allison, Frank McCormick represented the Dealer Board. Don Boswell, Karen Chappell and Jim Gurney represented DMV. Eric Fiske represented the Attorney General's Office.

The January 9, 2006 summary was approved.

PUBLIC COMMENT

There was no public comment.

OLD BUSINESS

OLD BUSINESS FROM THE FLOOR

There was no old business from the floor.

NEW BUSINESS

Review and Action: Informal Fact-Finding Conference Results:

- **Diane M. Danner/Chix Custom Cycles & Edward Mayo & Premier Auto.** On November 7, 2002, Adam C. Mayo, son and an authorized representative for Edward Mayo, attended the Fredericksburg Auto Auction and purchased a 2000 Lincoln LS for Diane M. Danner, President of Chix Custom Cycles, Inc. (Franchise Motorcycle Dealer). The purchase price was \$13,200.00 and Ms. Danner paid prior t/a name of Premier Auto by a cashier's check payable to Fredericksburg Auto Auction (FAA). Mr. Mayo took the vehicle to Premier Auto for body work and Diane Danner paid Premier \$585.00 for the repair work and also paid Bryant Motor Sports \$75.00 to transport the vehicle to Virginia Beach. After the vehicle was repaired, Ms. Danner demanded her vehicle, but was informed that the vehicle had been sold. She learned that Edward Mayo sold the vehicle to Deborah Basese in Willmont, New Hampshire. He sold it without Ms. Danner's permission or consent and never accounted for any of the proceeds from the sale. On December 3, 2002, a title was issued in the name of Chix Custom Cycles, because Ms. Danner thought she had to title the vehicle in her company's name to avoid any individual liability if Ms. Basese made a claim.

On April 19, 2005, Samuel Brown, Esquire, submitted to the Dealer Board on behalf of Chix Custom cycles and Diane Danner, an Amended Motion for Judgment that had been filed against Adam C. Mayo and Edward F. Mayo, Jr. Wanda Neely, Recovery Fund Analyst, contacted Mr. Brown and indicated that his client's claim may not be eligible for payment from the Fund because

Chix Custom Cycles is a franchise motorcycle dealer, which does not contribute to the Fund. Mr. Brown indicated he was aware of this, however, Ms. Danner had paid the vehicle and requested that the Dealer Board still proceed for consideration of payment from the Fund. On August 31, 2005, the Circuit Court of Virginia Beach awarded judgment to Diane Danner against Edward F. Mayo, Jr. On September 16, 2005, the Dealer Board acknowledged receipt of Mr. Brown's claim against the Fund, along with the requested additional documentation. On October 14, 2005, Mr. Brown submitted to the Dealer Board all the pertinent documentation.

On January 17, 2006, the Dealer Board received a copy of the Order dismissing the Motion for Judgment against Adam C. Mayo. In addition the Dealer board received a letter dated 13, 2006 from Mr. Brown indicated that at the trial the Court made a factual ruling that his client, Diane Danner was the retail purchaser. However, the Virginia Beach Circuit Court made a finding that she was the individual purchaser who suffered the loss and not Chix Custom Cycles.

After carefully reviewing all the documentation and the final judgment order, it was the staff's request for expertise of the Transaction Recovery Fund Committee and Full Board to approve or deny the claim against the fund. On February 14, 2006, an informal fact-finding conference was conducted and based on the information presented at the conference the staff representative conducting the conference recommended that the Transaction Recovery Fund Committee and the Board members consider approving \$20,000 in payment to Ms. Danner from the Fund.

Ms. Danner was present and spoke on her own behalf.

After further discussion and review of the information provided to the Committee in their notebooks, a motion was made by Lynn Hooper to not accept the hearing officer's recommendation and pay the judgment amount of \$16,182.00. It appears staff was recommending \$20,000.00 to cover attorney fees and because the actual judgment amount did not include attorney fees, the committee recommended paying the actual judgment. Jonathan Blank seconded. The motion carried unanimously.

- **Paul Calcagni and Al's Cars, Inc.** On December 1, 2003, Paul Calcagni entered into a sales contract to purchase a 2003 Cadillac Escalade for the purchase price of \$38,000.00. At the time of the transaction, Mr. Al Monhollen, the owner of A's Cars and Billy Everett met the Mr. Calcagni and assured him that they had a valid title to the vehicle. Mr. Calcagni wrote a check out to Mr. Everett and Mr. Monhollen issued 30-day tags and provided Mr. Calcagni with a buyer's order indicating the sales price was \$23,150.00 and an assigned Virginia title in the name of Al's Cars. Unknown to Mr. Calcagni, the vehicle he purchased was one of at least nine high-end vehicles that were "laundered" through Al's Cars, Inc., in which all these were stolen, contained obvious red flags including Ohio titles with obvious defects, altered VIN plates and mileage abnormalities. The Department of Motor Vehicles (DMV) Investigative Services had been conducting an investigation for approximately 6 months involving Al's Cars, Inc. involving a vehicle sold and titled in Virginia, which had been stolen. After doing a run of all the vehicles that Al's Cars sold recently, all transactions appeared to have a similar pattern. All of the vehicles had come in on out of state titles to Al's Cars and then titled in their name and sold to consumers.

On March 4, 2004, Special Agent Gabriel Morgan of DMV went to Mr. Calcagni's residence and conducted a preliminary inspection of the 2003 Cadillac Escalade. He found that the public VIN plate, which was visible from the windshield, had some irregularities. In checking the confidential

VIN plate, revealed that it did not match the public VIN that was displayed. Upon checking NCIC, the vehicle had been reported as stolen by the Clayton County Police Department in Georgia. After completing the inspection, Special Agent Morgan seized the vehicle from Mr. Calcagni's residence. The vehicle was later released with the authority of the Commonwealth Attorney's Office, back to the insurance company (Sentry) which had paid the rightful owner on a theft claim. Mr. Calcagni then obtained legal counsel in order to file a lawsuit against Al's Cars, Inc. for his loss in connection with the purchase of the 2003 Cadillac Escalade.

On February 24, 2005, the Circuit Court of the City of Norfolk awarded Mr. Calcagni judgment against Al's Cars, Inc. in the amount of \$38,000.00 for Breach of Contract. On May 18, 2005, Richard Colgan, Esquire, on behalf of his client, Mr. Calcagni, submitted to the Dealer Board the required documentation in order to file a claim against the Motor Vehicle Dealer Board Transaction Recovery Fund.

After carefully reviewing all documentation and in determining what amount is compensable from the Fund, staff recommended that the Recovery Fund Committee and Board approve Paul Calcagni's claim in the amount of \$20,000.00, which, is the maximum payment allowed when filing a claim. On February 21, 2006, an informal fact-finding conference was conducted and based on the information presented at the conference the staff representative conducting the conference recommended that the Transaction Recovery Fund Committee and the Board members consider approving \$20,000 in payment to Mr. Calcagni from the Fund.

Paul Calcagni was present and spoke on his own behalf.

After further discussion and review of the information provided to the Committee in their notebooks, a motion was made by Jonathan Blank to accept the hearing officer's recommendation and pay the maximum amount allowed of \$20,000.00. Lynn Hooper seconded. The motion carried unanimously.

NEW BUSINESS FROM THE FLOOR

There was no old business from the floor.

The next meeting was scheduled for May 8, 2006.

The meeting adjourned at 11:28 a.m.